

Applicant : J. Richard Aylward
Serial No. : 09/220,821
Filed : December 24, 1998
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Attorney's Docket No.: 02103-347001 / AABOSS02

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REMARKS

Claims 1, 2, 6, 8, 14, 16 and 20 have been canceled, claims 9, 13, 21, 23, 35, 37-39 and 43-48 have been canceled without prejudice to filing in a divisional application, claims 3-5 and 7 have been rewritten in independent form without being narrowed, claims 14 and 17 have been amended without narrowing to correct minor informalities, and the parenthetical expression in claim 40 has been changed in accordance with office guidelines. Such cancellation of and amendments to claims are only for the purpose of expediting prosecution of this application and are not to be construed as an abandonment of any novel concepts disclosed therein.

1.2. Claims 15, 17 and 19 stood rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 14 was said to recite the limitation "said speech separator" in lines 6 and 7 without sufficient antecedent basis for this limitation. Claim 15 has been rewritten in independent form and amended to provide antecedent support for "said separator". Claims 17 and 19 have also been rewritten in independent form and amended to provide antecedent support for "said separator." Accordingly, withdrawal of the rejection of claims 15, 17 and 19 as indefinite is respectfully requested.

8. Claims 3-5 and 7 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims have been rewritten accordingly. Accordingly, withdrawal of the objection to claims 3-5 and 7 is respectfully requested.

9. Claims 15, 17 and 19 would be allowable if rewritten to overcome the rejections under section 112 and to include all of the limitations of the base claim and any intervening claims. These claims have been amended to overcome the section 112 rejection and rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Accordingly, allowance of these claims is respectfully requested.

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10. The allowability of claims 24-34, 36 and 40-42 is noted. Since claim 35 is dependent upon and includes all the limitations of claim 34, claim 34 is generic to claim 35, and allowance of this claim is respectfully requested.

In view of the forging cancellations, amendments, remarks, and since all the presently active claims contain allowable subject matter, this application is submitted to be in a condition for allowance, and notice thereof is respectfully request. Should the Examiner believe the application is not in a condition for allowance, she is respectfully requested to telephone the undersigned attorney at 617-521-7014 to discuss what additional steps she believes are necessary to place the application in a condition for allowance.

Please charge 400.00 for the additional independent claims and apply any other charges or credits to deposit account 06-1050, Order No. 02103-347001.

Respectfully submitted,
Fish & Richardson P.C.

JAN - 6 2005

Date: _____



Charles Hicken
Reg. No. 18,411
Attorneys for Application Owner

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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